

S/N 10/600,118

PATENT

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

Applicant:	Cimino	Examiner:	Catherine S. Williams
Serial No.:	10/600,118	Group Art Unit:	3763
Filed:	06/20/2003	Docket No.:	40206.0019US01
Title:	PRECISION FLUID DELIVERY SYSTEM AND METHOD FOR SURGICAL PROCEDURES		

**CERTIFICATE UNDER 37 C.F.R. 1.8:**

I hereby certify that this correspondence is being transmitted electronically to the U.S. Patent Office on September 26, 2006.

By:

Name: Jennifer Week

**INFORMATION DISCLOSURE STATEMENT (37 C.F.R. § 1.97(c))**

Mail Stop Amendment  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, Virginia 22313-1450

Dear Sir:

With regard to the above-identified application, the items of information listed on the enclosed Form 1449 are brought to the attention of the Examiner. Enclosed for the Examiner's information is a copy of the International Search Report. At least some of the references were recently cited in an International Search Report mailed October 28, 2005.

This statement should be considered because it is submitted after the mailing date of a first Office Action on-the-merits or a first Office Action after filing a Request for Continued Examination under 37 C.F.R. § 1.114 or a CPA under 37 C.F.R. § 1.53(d), but before the mailing date of: i) a final action under 37 C.F.R. § 1.113; ii) a Notice of Allowance under 37 C.F.R. § 1.311; or iii) an action that otherwise closes prosecution on the application. Please charge Deposit Account No. 13-2725 the amount of \$180 for consideration of the items listed on the enclosed Form 1449.

A copy of any foreign patent document or "Other Document" listed on the Form 1449 is enclosed, in accordance with 37 C.F.R. § 1.98(a)(2). Copies of the U.S. Patents and U.S. patent publications listed on the enclosed Form 1449 are not provided.

No representation is made that a reference is "prior art" within the meaning of 35 U.S.C. §§ 102 and 103 and Applicants reserve the right, pursuant to 37 C.F.R. § 1.131 or otherwise, to establish that the reference(s) are not "prior art." Moreover, Applicants do not represent that a reference has been thoroughly reviewed or that any relevance of any portion of a reference is intended.

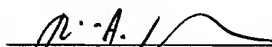
Consideration of the items listed is respectfully requested. Pursuant to the provisions of M.P.E.P. 609, it is requested that the Examiner return a copy of the attached Form 1449, marked as being considered and initialed by the Examiner, to the undersigned with the next official communication.

Please charge any additional fees or credit any overpayment to Deposit Account No. 13-2725.

Respectfully submitted,

Dated: September 26, 2006



  
Repe' A. Pereyra, Reg. No. 45,800  
MERCHANT & GOULD P.C.  
P.O. Box 2903  
Minneapolis, MN 55402-0903  
303.357.1637

<b>FORM 1449*</b> <b>INFORMATION DISCLOSURE STATEMENT</b>  <b>IN AN APPLICATION</b>  (Use several sheets if necessary)	Docket Number: 40206.0019US01	Application Number: 10/600,118
	Applicant: Cimino	
	Filing Date: 06/20/2003	Group Art Unit: 3763

U.S. PATENT DOCUMENTS						
EXAMINER INITIAL	DOCUMENT NO.	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	6350276	02/26/2002	Knowlton	607	104	

FOREIGN PATENT DOCUMENTS							
	DOCUMENT NO.	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
						YES	NO

OTHER DOCUMENTS (Including Author, Title, Date, Pertinent Pages, Etc.)		
		International Search Report for PCT/US04/19719
		Demoruelle et al., "Flow Rate Maintenance and Output of Intravenous Fluid Administration Sets," American Journal of Hospital Pharmacy, vol. 32, issue 2, Abstract, 1975.
		Leff et al., "Effect of Intravenous Fluid and Drug Solution Coadministration on Final-Infusate Osmolality, Specific Gravity, and pH," American Journal of Hospital Pharmacy, vol. 39, issue 3, Abstract, 1982.
		Description of FLO-GARD Volumetric Infusion Pumps (Industry Standard) from Baxter Website - <a href="http://www.baxter.com/products/medication_management/infusion_pumps/large_volume_infusion_pumps/flo_gard/index.html">http://www.baxter.com/products/medication_management/infusion_pumps/large_volume_infusion_pumps/flo_gard/index.html</a> , accessed September 26, 2006.

**23552**

PATENT TRADEMARK OFFICE

EXAMINER	DATE CONSIDERED
EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form for next communication to the Applicant.	